REMARKS/ARGUMENTS

In light of the above-amendment and remarks to follow, reconsideration and allowance of this application are requested.

Claims 29, 31-33, 35, 36, 38, 50, 54, 57-96 have been amended and claims 29-96 are presented for consideration.

Claims 32, 33, 35, 36, 38, 47, 48, 57, 60, 63, 66, 68, 70, 75, 76, 93, 94 and 96 have been rejected under 35 U.S.C. § 112, second paragraph, "as being indefinite for filing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Claims 32, 33, 35, 36,, 38, 57, 63, 66, 64, 66, 68, 70, 75, 76, 93, 94 and 96 have been amended to overcome the Examiner's objections and to incorporate the Examiner's suggestion. Particularly, claims 57, 76, 93 and 96 have been amended to recite "a computing system" instead of "apparatus." Claims 33, 35, and 63 have been amended to recite that if more than one queries are determined to have the greatest-valued result, then one query is selected as having a maximum result. That is, if there is a tie as to which query has the greatest-valued result, one query is selected or designated as having the maximum result. Similarly, claims 36, 38, 64 and 66 have been amended to recite that one query is selected as having a minimum result if there is a tie as to which query has the least-valued result.

Regarding claims 47 and 48, applicants respectfully submit that these claims recite that a query and its corresponding results are displayed if it is determined that a query has either the greatest-valued result or least-valued result. Accordingly, applicants respectfully submit that claims 47 and 48 define applicants' invention in clear and definite term, as required in U.S.C. § 112. Hence, it is respectfully requested that the rejection of claims 32, 33, 35, 36, 38, 47, 48, 57, 60, 63, 66, 68, 70, 75, 76, 93, 94 and 96 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 31, 35, 59, 62 and 66 have been objected to because of various informalities; and these claims have been amended to satisfy such objections. It is respectfully requested that the objection to claims 31, 35, 59, 62 and 66 be withdrawn.

Additionally, in order to expedite the prosecution of this application, claims 29 and 54 have been amended to incorporate the Examiner's kind suggestion of amending the method

claims into "computer implemented method" claims.

Claims 29-96 have been rejected as allegedly being unpatentable over U.S. Patent 6,044,366 (Graffe et al.) in view of U.S. Patent 5,802,51 (Adar et al.) or the combination of Adar et al. and U.S. Patent 4,490,811 (Yianilos et al.). Applicants respectfully traverse these rejections.

Applicants submit that Graffe et al. is not prior art under 35 U.S.C. § 102 and the § 103 rejections based on Graffe et al. are improper and should be withdrawn. As stated in the enclosed Declaration, applicants respectfully submit that well prior to the March 16, 1998 filing date of the Graffe et al. patent, the reference invention was conceived and reduced to practice. The Graffe et al. patent is therefore inapplicable as § 102 prior art and a reference that does not qualify as prior art under § 102 cannot be basis of a rejection under § 103. Applicant therefore respectfully request that the rejection based on allegedly obviousness in view of the Graffe et al. patent be reconsidered and withdrawn. Accordingly, the allowance of claims 29-96 is solicited.

Moreover, contrary to the Examiner's assertion, Graffe et al. does not teach or suggest "determining queries in a plurality of queries having said at least one computation and sharing one or more elements in common with the user query to provide a set of related queries," as called for in independent claim 29 and similarly in independent claims 50, 54, 57, 76, 93 and 96. In fact, col. 9, Tables 7 and 8 in Graffe et al., cited by the Examiner, merely shows results of a particular query. "This statement produces Table 7 ... The results of this query are listed in Table 8." (Graffe et al., col. 9, lines 7, 35). Accordingly, applicants respectfully submit that Graffe et al. merely describes that a query can generate a plurality of results, but does not teach or suggest determining related queries sharing one or more elements in common with the user query. It is appreciated that determining multiple results for a given query is not equivalent to determining multiple queries related to that given query.

Further, contrary to the Examiner's assertion, Graffe et al. does not teach or suggest determining computationally related queries, as called for in claims 54 and 93. It is appreciated that Graffe et al. is directed to "the problem of gathering, sufficient statistics of the data, represented in the form of a counts table." (col. 5, lines 9-11) In fact, col. 10, lines

47-50, cited by the Examiner, merely describes that "To obtain the counts table one would execute a union of M group by subquereris on the resulting UNPIVOT table to obtain a desired count against each of the class 1, ..., classM columns."

Furthermore, as admitted by the Examiner, Graffe et al. and Adar et al. fails to teach or suggest pre-determining a set of computationally related queries and pre-determining queries having the greatest-valued or least-valued result from the set of computationally related queries, as called for in claims 41, 50 and 76. To cure this deficiency in Graffe et al. and Adar et al., the Examiner turns to Yianilos et al. However, contrary to the Examiner's assertion, Yianilos et al. fails to teach or suggest pre-determining a set of computationally related queries and pre-determining queries having the greatest-valued or least-valued result from the set of computationally related queries, as called for in claims 41, 50 and 76. It is appreciated that the term "pre-determining" means determining these related queries before receiving the user query. That is, the present invention pre-determines these related queries in advance by examining the entire database records or data sets without knowing the "attribute-valued strings" of the user query. Yianilos et al. describes "scrutiniz[ing] the data as it passes, looking for records that are very similar to the query provided" (col. 19, lines 4-5); "[a]s records pass by on the data bus 338, the records are received by the associator circuit on interface 372 over bus 374 where the records are merged with query characters transmitted over bus 376" (col. 19, lines 29-32); and "the three associators forward their 'opinion' of how similar the record and the query were" (col. 20, lines 5-6). Portions of Yianilos et al. cited by the Examiner merely describe comparing the records to the user query, and does not describe pre-determining computationally related queries without using the user query.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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A check for $210.00 is enclosed. However, the Commissioner is hereby authorized to deduct any additional fee or credit any overpayment to Deposit Account No. 50-0624, under Order No. **NY-VIR 201-US (10001987)** from which the undersigned is authorized to draw.

Dated:

Respectfully submitted,

By 

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